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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,836	08/31/2001	Daniel Keele Burgin	1160215/0531072	3316
26874 7590 01/17/2008 FROST BROWN TODD, LLC 2200 PNC CENTER 201 E. FIFTH STREET CINCINNATI, OH 45202			EXAMINER TRAN, MYLINH T	
			ART UNIT 2179	PAPER NUMBER
			NOTIFICATION DATE 01/17/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dbell@fbtlaw.com

## Office Action Summary

Application No.

09/944,836

Applicant(s)

BURGIN ET AL.

Examiner

Mylinh Tran

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-20,22-25,27,28,30 and 32-39 is/are pending in the application.
- 4a) Of the above claim(s) 30 and 32-39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-20,22-25,27,28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election with traverse of Group I including claims 1-7, 9-20, 22-25 and 27-28 in the reply filed on 06/15/06 is acknowledged. The traversal is on the ground(s) that the two claim groups overlap and are classified within the same class. This is not found persuasive because Groups I and II are required a distinct, independent search and examination by the Examiner. The both groups are not be able to be examined together and if doing so would make a serious burden on the examiner.

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 9-20, 22-25 and 27-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Szabo [US. 2007/0156677].

**As to claims 1, 20, 25, Szabo discloses a computer**

implemented method and corresponding apparatus for operating a browser associated with an end-user comprising the steps/means for receiving a request for end-user support, wherein the request is received at a support location that is remote relative to the end-user (page 15, 0078), determining a present navigation location for the end-user (page 15, 0082), retrieving content from a content provider that corresponds to the determined present navigation location, wherein the content is retrieved from a content location that is remote relative to the end-user (page 21, 0151-0154); wherein the retrieved content includes an embedded navigation link associated with a first domain, wherein the first domain is remote relative to the end-user, wherein the first domain is associated with the content location (0029); providing a modified content to the end user, wherein the modified content includes a portion of the retrieved content and includes the encoding of the embedded navigation link that replaced the embedded navigation link (0151), wherein the encoded embedded navigation link continues to be actually associated with the first domain despite the appearance that the encoded embedded navigation link is associated with the second domain (0198-0200) providing the end-user support to the end-user, wherein the end-user support is provided from the support location via the second domain (0028-0029) wherein at least a representation of the modified content and the end-user support are simultaneously viewable by the end-user (0036);

a data collection module in communication with the end-user support knowledge database, the automated support server, and the secondary support system, wherein the data collection module records a set of data related to an actual end-user support session between the end-user and one or both of the automated support server and the secondary support system, wherein the data collection module is configured to provide updated information to the knowledge database, wherein the updated information relates to the actual end-user support session (0198-0199).

encoding the present navigation location, encoding the embedded navigation link so that it appears to be associated with a second domain, wherein the second domain is remote relative to the end-user (0255-0256), wherein the second domain is associated with the support location and replacing the embedded navigation link included in the retrieved content with the encoding of the embedded navigation link (0230).

**As to claim 2,** Szabo teaches identifying the embedded navigation link (0230).

**As to claim 3,** Szabo teaches the retrieved content being provided in a first frame of a browser window and the end-user support is provided in a second frame of the browser window, and wherein the first frame and the second frame are simultaneously displayable within the browser window (0416)).

**As to claim 4,** Szabo teaches receiving at the first frame a notice of a navigation event that occurred at the second frame (0416).

**As to claim 5,** Szabo teaches receiving an indication that the

embedded navigation link has been selected by the end-user (0202).

**As to claim 6**, Szabo teaches decoding the embedded navigation link, passing the decoded embedded navigation link to the content provider, receiving content corresponding to the decoded embedded navigation link and providing the received content to the end user (0208-0211).

**As to claim 7**, Szabo provides providing automated end-user support (0024).

**As to claim 9**, Szabo teaches masking one of the first transport protocol and the second transport protocol so that content associated with the embedded navigation link and the end-user support appears to be subject to the same transport protocol (0028).

**As to claim 10**, Szabo teaches providing the second navigation link to the end-user without encoding (0024).

**As to claim 11**, Szabo teaches passing the second navigation link directly to an associated content provider responsive to selection of the second navigation link by the end-user (0246-0247).

**As to claim 12**, Szabo teaches forwarding the second navigation link to an associated content provider responsive to selection of the second navigation link by the end-user (0024-0028).

**As to claims 13, 19**, Szabo teaches a first content portion, wherein the first content portion originates from a first domain that is remote relative to a user (0024); a second content portion, wherein the second content portion originates from a second domain that is remote relative to the user (0024-0025); an

automated support system (0028); and an annotation server in communication with the automated support system (0127); wherein the annotation server is configured to encode either the first content portion or the second content portion to create an appearance to the user that both content portions originated from a common domain that is remote relative to the user without actually changing the origin of the first content portion or the second content portion (0028-0029).

**As to claim 14**, Szabo teaches the common domain being a third domain (0024-0028).

**As to claims 15 and 16**, Szabo teaches the automated support system comprising a profiler application and a roles module, and a skills module in communication with the roles module (0046).

**As to claim 17**, Szabo shows the automated support system comprising a resource data module (0046-0047).

**As to claim 18**, Szabo shows a dialogue module and a social skill module (0024).

**As to claims 22 and 27**, Szabo teaches receiving a request for end-user support and determining a present navigation location associated with the browser, teaches passing a fetch request to the content provider for data related to the present navigation location (0168).

**As to claims 23 and 28**, Szabo teaches providing for display in the browser window an interactive content', wherein the interactive content

originates from a second domain (0168-0169).

**As to claim 24**, Szabo teaches encoding the first of the plurality of links so that it appears to have originated from the second domain (0170).

### **Response to Arguments**

Applicant's arguments with respect to claims 1-7, 9-20, 22-25, 27 and 28 have been considered but are moot in view of the new ground of rejection.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Mylinh Tran

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A handwritten signature in black ink, appearing to read 'Weilun Lo', with a stylized, cursive script.

**WEILUN LO**  
**SUPERVISORY PATENT EXAMINER**